

the Department and other Federal, State, and local agencies responsible for homeland security to minimize inconsistent and duplicate acquisitions and expenditures.

SEC. 624. No funds in this Act shall be available for any contract entered into after the date of enactment of this Act by the Department of Homeland Security with—

(1) an inverted domestic corporation (as defined in section 835 of the Homeland Security Act of 2002 (Public Law 107-296; 6 U.S.C. 395)),

(2) any corporation which completed a plan (or series of transactions) described in such section before, on, or after the date of enactment of the Homeland Security Act of 2002 (Public Law 107-296; 6 U.S.C. 395), or

(3) any subsidiary of a corporation described in paragraph (1) or (2).

SEC. 625. It is the sense of the Senate that the Department of Homeland Security's Undersecretary for Science and Technology should take all appropriate steps to ensure the active participation of historically black colleges and universities, tribal colleges, Hispanic-serving institutions, and Alaskan Native serving institutions in Department sponsored university research.

SEC. 626. (a) Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Appropriations of the Senate and the House of Representatives a plan for enhancements of the operations of the Information Analysis and Infrastructure Protection Directorate in order to—

(1) meet the personnel requirements of the Directorate;

(2) improve communications between the Directorate and the intelligence community; and

(3) improve coordination between the Directorate and State and local counterterrorism and law enforcement officials.

(b) In addition to the matters specified in subsection (a), the plan shall include a description of the current assets and capabilities of the Information Analysis and Infrastructure Protection Directorate, a strategy for the Directorate for the coordination and dissemination of intelligence and other information, and a schedule for the implementation of the plan required under subsection (a).

SEC. 627. Not later than 90 days after the date of enactment of this Act, the Comptroller General shall conduct a review and report to Congress on all of the data-mining programs relating to law enforcement and terrorism currently under development and in use in the Department of Homeland Security.

SEC. 628. When establishing priorities for fire-fighting vehicles in the Firefighter Assistance Grants program, the Secretary shall take into consideration the unique geographical needs of individual fire departments.

SEC. 629. Not later than 90 days after the date of the enactment of this Act, the Secretary of Homeland Security shall conduct a study and submit a report with recommendations to the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate regarding the status of the air traffic control communications voids and gaps in tethered aerostat coverage around the United States, such as those existing in the central Gulf of Mexico.

This Act may be cited as the "Department of Homeland Security Appropriations Act, 2004".

## DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2004

AMENDMENT NO. 1364, AS MODIFIED

Mr. HATCH. Madam President, I ask unanimous consent that notwithstanding passage of H.R. 2555, amendment No. 1364, which was previously agreed to, be modified with the changes that are at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment, as modified, is as follows:

On page 62 of the bill, line 12, after "investigations" insert the following:

"Provided, That the Under Secretary for Emergency Preparedness and Response may provide advanced funding to authorize non-profit entities performing duties under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5131 et seq.) who respond to a disaster declared by the President, if the non-profit entity petitions the Under Secretary for such advanced funding and demonstrates that they would be unable to respond to the disaster absent such funding."

## EXECUTIVE SESSION

### NOMINATION OF PRISCILLA RICHMAN OWEN TO BE U.S. CIRCUIT JUDGE FOR THE FIFTH CIRCUIT

Mr. HATCH. Madam President, I ask unanimous consent that the Senate now proceed to executive session for the consideration of Calendar No. 86.

The PRESIDING OFFICER. Without objection, the clerk will report.

The assistant legislative clerk read the nomination of Priscilla Richman Owen, of Texas, to be U.S. Circuit Judge for the Fifth Circuit.

#### CLOTURE MOTION

Mr. HATCH. Madam President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under Rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Executive Calendar No. 86, the nomination of Priscilla R. Owen of Texas to be United States Circuit Judge for the Fifth Circuit.

Bill Frist, Orrin Hatch, John Cornyn, Michael B. Enzi, Jim Talent, Judd Gregg, Jeff Sessions, Ben Nighthorse Campbell, Craig Thomas, Chuck Grassley, Chuck Hagel, Thad Cochran, Richard Shelby, Wayne Allard, Elizabeth Dole, Conrad Burns, Larry Craig.

Mr. HATCH. Madam President, I ask unanimous consent that the live quorum as provided for under rule XXII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATCH. For the information of all Senators, this will be the third cloture motion with respect to this nomination. This cloture vote will occur Tuesday, so we will notify Senators when the exact vote time is locked in.

## UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. HATCH. Madam President, I ask unanimous consent that on Monday, the debate on Calendar No. 296 begin at

5:20 p.m.; provided further that immediately after the vote on that nomination, Executive Calendar No. 304 be confirmed, the motion to reconsider be laid upon the table, the President then be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATCH. Madam President, for the information of all Senators, this will now mean that the first vote during Monday's session will begin at 5:30 p.m.

## LEGISLATIVE SESSION

Mr. HATCH. Madam President, I ask unanimous consent that the Senate resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

## THE CALENDAR

Mr. HATCH. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar Nos. 229, 230, and 231, en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATCH. Madam President, I ask unanimous consent that the resolutions be agreed to, en bloc; that the preambles be agreed to, en bloc; that the motions to reconsider be laid upon the table, en bloc; and that any statements relating to these measures be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

## NATIONAL GOOD NEIGHBOR DAY

The resolution (S. Res. 124) designating September 28, 2003, as "National Good Neighbor Day" was considered and agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

Whereas while our society has developed highly effective means of speedy communication around the world, it has failed to ensure communication among individuals who live side by side;

Whereas the endurance of human values and consideration for others is of prime importance if civilization is to survive; and

Whereas being a good neighbor to those around us is the first step toward human understanding; Now, therefore, be it

*Resolved*, That the Senate—

(1) designates September 28, 2003, as "National Good Neighbor Day"; and

(2) requests that the President issue a proclamation calling upon the people of the United States and interested groups and organizations to observe National Good Neighbor Day with appropriate ceremonies and activities.

## 100TH ANNIVERSARY OF THE FOUNDING OF THE HARLEY-DAVIDSON MOTOR COMPANY

The resolution (S. Res. 167) recognizing the 100th anniversary of the

founding of the Harley-Davidson Motor company, which has been a significant part of the social, economic, and cultural heritage of the United States and many other nations and a leading force for product and manufacturing innovation throughout the 20th century, was considered and agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

Whereas in 1903, boyhood friends, hobby designers, and tinkers William S. Harley, then 21 years old, and Arthur Davidson, then 20 years old, completed the design and manufacture of their first motorcycle, with help from Arthur Davidson's brothers, Walter Davidson and William A. Davidson;

Whereas, also in 1903, Harley and the Davidson brothers completed 2 additional motorcycles in a makeshift "factory" shed in the Davidson family's backyard at the corner of 38th Street and Highland Boulevard in Milwaukee, Wisconsin;

Whereas the design features and construction quality of the early Harley-Davidson motorcycles proved significantly more innovative and durable than most other motorcycles of the era, giving Harley-Davidson a distinct competitive advantage;

Whereas in 1905, Walter Davidson won the first of many motorcycle competition events, giving rise to a strong tradition of victory in motorcycle racing that continues today;

Whereas in 1906, Harley-Davidson Motor Company constructed its first building, financed by the Davidsons' uncle James McClay, on the site of the Company's current world headquarters one block north of the Davidson home site, and manufactured 50 motorcycles that year;

Whereas in 1907, Harley-Davidson Motor Company was incorporated and its 18 employees purchased shares;

Whereas in 1908, the first motorcycle for police duty was delivered to the Detroit Police Department, beginning Harley-Davidson's long and close relationship with law enforcement agencies;

Whereas in 1909, to enhance power and performance, Harley-Davidson added a second cylinder to its motorcycle, giving birth to its hallmark 45-degree V-Twin configuration and the legendary Harley-Davidson sound;

Whereas during the years 1907 through 1913, manufacturing space at least doubled every year, reaching nearly 300,000 square feet by 1914;

Whereas Arthur Davidson, during Harley-Davidson's formative years, set up a worldwide dealer network that would serve as the focal point of the company's "close to the customer" philosophy;

Whereas Harley-Davidson early in its history began marketing motorcycles as a sport and leisure pursuit, thus laying the groundwork for long-term prosperity;

Whereas in 1916, Harley-Davidson launched "The Enthusiast" magazine, which today is the longest running continuously published motorcycle magazine in the world;

Whereas also in 1916, Harley-Davidson motorcycles saw their first military duty in skirmishes in border disputes along the United States border with Mexico;

Whereas in World War I, Harley-Davidson supplied 17,000 motorcycles for dispatch and scouting use by the Allied armed forces, and whereas the first Allied soldier to enter Germany after the signing of the Armistice was riding a Harley-Davidson motorcycle;

Whereas by 1920, Harley-Davidson was the world's largest motorcycle manufacturer, both in terms of floor space and production, with continual engineering and design innovation;

Whereas during the Great Depression of the 1930s, the company survived when all but 1 other domestic motorcycle manufacturer failed, on the strength of its product quality, the loyalty of its employees, dealers, and customers, steady police and commercial business, and a growing international presence;

Whereas in 1936, Harley-Davidson demonstrated foresight, resolve, and faith in the future by introducing the company's first overhead valve engine, the "Knucklehead" as it would come to be known, on its Model EL motorcycle, thus establishing the widely recognized classic Harley Davidson look and the company's reputation for styling;

Whereas Harley-Davidson workers in 1937 elected to be represented by the United Auto Workers of America, thus launching a proud tradition of working with Harley-Davidson to further build the company through advocacy and the development of effective programs and policies;

Whereas William H. Davidson, son of the late founder William A. Davidson, became president of Harley-Davidson in 1942 and would lead the company until 1971;

Whereas Harley-Davidson built more than 90,000 motorcycles for United States and Allied armed forces use during World War II, earning 4 Army-Navy "E" Awards for excellence in wartime production;

Whereas Harley-Davidson, during the 1950s and 1960s, recharged its sales and popularity with new models, including the Sportster and the Electra Glide, new engines, and other technological advances;

Whereas the Company developed the concept of the "factory custom" motorcycle with the 1971 introduction of the Super Glide and the 1977 Low Rider, under the design leadership of William "Willie G" Davidson, vice president of Styling and grandson of company founder William A. Davidson;

Whereas since 1980, as a national corporate sponsor of the Muscular Dystrophy Association, Harley-Davidson has raised more than \$40,000,000 through company, dealer, customer, and supplier contributions, to fund research and health services;

Whereas in 1981, a group of 13 Harley-Davidson executives, led by chairman and CEO Vaughn Beals purchased Harley-Davidson from its then corporate parent AMF Incorporated;

Whereas by 1986, Harley-Davidson, against incredible odds, restored the company's reputation for quality and innovation and returned the company to vitality, thus ensuring a highly successful initial public stock offering;

Whereas throughout the 1980s and 1990s, Harley-Davidson became a national role model for positive labor-management relations, product innovation, manufacturing quality and efficiency, and phenomenal growth;

Whereas President Ronald Reagan, President William J. Clinton, and President George W. Bush all have visited Harley-Davidson manufacturing facilities and extolled the example set by Harley Davidson through its practices;

Whereas the Harley Owners Group, with more than 800,000 members and 1,200 chapters worldwide, is celebrating its 20th anniversary year in 2003 as a driving force in the company's heralded "close to the customer" operating philosophy; and

Whereas Harley-Davidson Motor Company is today the world's leading seller of large displacement (651 cc plus) motorcycles, with annual revenues in excess of \$4,000,000,000, annual motorcycle shipments in excess of 290,000 units, strong international sales, and 17 consecutive years of annual revenue and earnings growth since becoming a publicly held company; Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the achievements of Harley-Davidson Motor Company, widely regarded as a tremendous American business success story and one of the top performing companies in America, as its employees, retirees, suppliers, dealers, customers, motorcycle enthusiasts, and friends worldwide commemorate and celebrate its 100th anniversary milestone;

(2) recognizes the great impact that Harley-Davidson has had on the business, social, and cultural landscape and lives of Americans and citizens of all nations, as a quintessential icon of Americana; and

(3) congratulates the Harley-Davidson Motor Company for this achievement and trusts that Harley-Davidson will have an even greater impact in the 21st century and beyond as a leading force for innovative business practices and products that will continue to provide enjoyment, transportation, and delight for generations to come.

#### NATIONAL PURPLE HEART RECOGNITION DAY

A concurrent resolution (S. Con. Res. 40) designating August 7, 2003, as "National Purple Heart Recognition Day" was considered and agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

Whereas the Order of the Purple Heart for Military Merit, commonly known as the Purple Heart, is the oldest military decoration in the world in present use;

Whereas the Purple Heart is awarded in the name of the President of the United States to members of the Armed Forces who are wounded in conflict with an enemy force, or while held by an enemy force as a prisoner of war, and posthumously to the next of kin of members of the Armed Forces who are killed in conflict with an enemy force, or who die of a wound received in conflict with an enemy force;

Whereas the Purple Heart was established on August 7, 1782, during the Revolutionary War, when General George Washington issued an order establishing the Honorary Badge of Distinction, otherwise known as the Badge of Military Merit, or the Decoration of the Purple Heart;

Whereas the award of the Purple Heart ceased with the end of the Revolutionary War, but was revived out of respect for the memory and military achievements of George Washington in 1932, the 200th anniversary of his birth; and

Whereas the designation of August 7, 2003, as "National Purple Heart Recognition Day" is a fitting tribute to General Washington, and to the over 1,535,000 recipients of the Purple Heart Medal, approximately 550,000 of whom are still living; Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring)*, That Congress—

(1) designates August 7, 2003, as "National Purple Heart Recognition Day";

(2) encourages all Americans to learn about the history of the Order of the Purple Heart for Military Merit and to honor its recipients; and

(3) requests that the President issue a proclamation calling on the people of the United States to conduct appropriate ceremonies, activities, and programs to demonstrate support for the Order of the Purple Heart for Military Merit.